

HOUSE BILL REPORT

HB 1849

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to security guard training.

Brief Description: Modifying requirements for security guard training.

Sponsors: Representatives Lovick, Campbell, Simpson, DeBolt, Hinkle and O'Brien.

Brief History:

Committee Activity:

Commerce & Labor: 2/21/05, 3/2/05 [DP].

Brief Summary of Bill

- Modifies requirements for security guard training, and establishes record keeping requirements for private security companies and department certified trainers.
- Establishes penalties for certain record keeping violations.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 4 members: Representatives Conway, Chair; Wood, Vice Chair; Hudgins and McCoy.

Minority Report: Do not pass. Signed by 3 members: Representatives Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; and Crouse.

Staff: Chris Cordes (786-7103).

Background:

There are about 7,500 security guards licensed to work in Washington. They are employed by 167 security guard businesses, large and small.

Licensing requirements for security guards include a requirement to complete of eight hours of pre-assignment training before beginning independent work. Beginning on July 1, 2005, licensees became subject to a post-assignment training requirement. For new licensees, four hours of this training must be completed within six months after becoming licensed, and the remaining four hours by the end of the licensee's first year. The amount of post-assignment training required of new licensees increases by one hour each year until the requirement reaches 15 hours in 2012. A new licensee is subject to the hours required on the date he or she

was initially licensed and must complete the additional training within the first 18 months after being initially licensed.

The Department of Licensing (Department) has, by rule, set content requirements for this training. Among the areas that must be covered are:

- basic security, including the role of a security officer;
- legal powers and limitations, including the use of force;
- emergency response;
- preparing reports; and
- public relations, including skills for communication and avoiding confrontation.

Summary of Bill:

The Department of Licensing (Department) must develop a standard curriculum as to training and testing requirements, including pre assignment and post assignment training for private security companies, and an award of a certificate of training by Department certified trainers to successful trainees is conclusive evidence of pre assignment training completion. Additionally, ongoing continuing education requirements are established, and the Department's consultation function for adoption and amendment of rules with regard to training, and testing requirements is broadened.

Record keeping requirements of training records for private security guards within the employ of private security companies are created and a monetary penalty for certain record keeping violations by private security companies is established. Additionally, record keeping violations by Department certified trainers may be penalized with revocation, suspension or non renewal of certification.

Training Content

The Department must develop and approve by regulation a standard course and curriculum for security officer skills training to promote and protect the safety of persons and the security of property. For this purpose, the Department must consult with consumers, labor organizations representing private security officers, private security companies, educators, and subject matter experts.

The course of training required may be administered, tested, and certified by any trainer, or by any organization or school approved by the Department. The Department may approve any person or school to teach the course, but the majority of the instruction must be by verbal instruction.

Inquiries may be made by the Department to determine whether the agencies are complying with standards set forth in its regulations.

Certificate of Training

Upon completion of pre assignment training courses administered by a Department certified trainer, organization or school, and approved by the Department, the Department certified

trainers will give successful trainees a certificate of training, which must be accepted as conclusive evidence of completion of pre assignment training by any licensed security company.

Certified Trainers

A "Department Certified Trainer" is defined as a licensed security guard, faculty, or staff of any department approved educational institution, organization, or program who has completed an application to the Department for certification as a trainer, and has taken the Department's exam for certification as a trainer. A trainer is certified to administer, test or certify pre assignment training.

Continuing Education

Security companies are required to provide each licensed security officer in their employ with eight hours of specifically dedicated review or practice of security officer skills taught by trainers certified by the Department. Security companies must maintain a record of administration of this review or practice training for each officer in their employ, available for inspection by the Department, for at least three years.

Enforcement/Penalties

The Department may assess civil penalties against security contracting companies of \$100 for the first violation and \$200 for subsequent violations of the following requirements:

- Failure to maintain an accurate and current record of proof of completion of pre assignment training by each licensed officer employed by the company.
- Failure to provide each licensed officer with certification of completion of pre assignment training.
- Failure to administer to each licensed security officer the post assignment and refresher training according to the required schedule.
- Failure to maintain an accurate and current record of proof of completion of the post assignment and refresher training required according to the law.

Additionally, the Department may revoke, suspend, or refuse to accept or renew certification of any Department-certified trainer for any of the above violations. The costs of compliance with orders are the obligation of the license holders or the certified trainers.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) The security guard industry is a growing industry especially in the aftermath of September 11. The average starting wage is \$8.67 - \$13.37. The level of responsibility is daunting, and high quality service in the industry is not encouraged. There is competitive bidding, periodic training (most of the time only basic), and no standard criteria

from company to company. There is a need for a framework and licensing and training standards through each security guard's career, and the Department needs to be empowered to enforce this.

There has been little improvement in training, and the industry has simply filled in the gaps with different standards at different sites. This often results in brand new officers with very little training, and this problem cannot be fixed at one site. Often times, security guards are required to sign forms indicating that they have received training when in actuality they have not. Expertise should be incorporated into the infrastructure.

Testimony Against: There is a belief that this bill will harm small businesses. House Bill 2657 was passed and went into effect in June 2004. However, it has not had the opportunity to be fully implemented. House Bill 2657 established strong statewide policies, and the fiscal note on the current bill is not realistic. There are several other uncertainties that are created by the language of the bill, and site specific training is already addressed in private company's contracts.

Persons Testifying: (In support) Franklin Bullock, Wackenhut; Debbie Francisco, security guard; and Robby Stern, Washington State Labor Council.

(Opposed) Michael Transue, Pierce County Security Services; and Jeff Kirby, Washington State Security Council.

Persons Signed In To Testify But Not Testifying: None.